

IN THE UNITED STATES COURT
FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	
)	
MICHAEL J. PLAKE, d/b/a/ Plake)	
and Associates,)	Criminal No. 12-CR-81-F
)	
and)	
)	
PAUL D. CARDWELL,)	
)	
Defendants.)	

ORDER DECLARING THIS MATTER COMPLEX AND GRANTING
MOTION FOR EXCLUDABLE DELAY

THIS MATTER comes before the Court on the Joint Motion of the United States and Defendant's Plake and Cardwell to Declare Case Complex under the Speedy Trial Act and for excludable delay. The Court, having reviewed the motion and being otherwise fully advised, **FINDS** that the ends of justice served by declaring this case complex and continuing the trial in this matter outweigh the best interest of the public and the defendants in a speedy trial. See 18 U.S.C. §3161(h)(7)(A).

In granting the motion, the Court has considered the factors contained in 18 U.S.C. § 3161(h)(7)(B). Given the nature of the prosecution and the complexity of the case, the Court **FINDS** that it is wholly unreasonable to expect either party to proceed to trial on June 4, 2012 considering the nature of the ongoing investigation in the Northern District of Indiana pertaining to allegations and relevant conduct applicable to the case pending before this Court,

the inability of counsel for the Defendants to adequately advised their clients regarding how to proceed in this matter due to the unknown consequences of such decisions upon the anticipated proceedings in the District of Northern Indiana and FURTHER FINDING that the United States Attorney's Offices for the Districts of Wyoming and Northern Indiana anticipate formulating a global disposition regarding this matter which would further the judicial economy and resources of the Court. Failure to extend time to allow for the ongoing investigation in Indiana to complete and allow all parties to discuss a global disposition following Indictment in the Northern District of Indiana would very likely result in a miscarriage of justice.

THEREFORE, IT IS HEREBY ORDERED that the government's and Defendant's Motion to Declare Case Complex and for excludable delay is **GRANTED**, that the trial date of June 4, 2012 is **HEREBY VACATED** and shall be re-set by Order of the Court for a date and time mutually convenient to the Court and counsel for the respective parties following Indictment of the Defendants Plake and Cardwell in the Northern District of Indiana.

HON. NANCY D. FREUDENTHAL
CHIEF U.S. DISTRICT COURT JUDGE